

**WASHINGTON STATE HUMAN RIGHTS COMMISSION  
MEETING OF  
March 27-28, 2003  
Ramada Inn  
Olympia, WA**

**MINUTES**

**THURSDAY, MARCH 27**

**ATTENDANCE**

**Commissioners:** Rudy Vasquez, Chair; Charlotte Coker; Ellis Casson; Dallas Barnes; and J. Reiko Callner.

**Staff:** Susan (Sue) J. Jordan, Executive Director; Dariush (D.K.) Khaleghi, Deputy Director; Tanya Calahan, Commission Clerk; Regina Hook, Jerry Lee Jr., Sharon Ortiz, and Berneta Walraven, Operations Managers; Jean Ciallella, Executive Assistant; Andrea Herrera, David Clayborn, Stefani Coverson, Joyce Ansley, Christine Davio, Arleen Sandifer, and Laurie Rasmussen, Equal Opportunity Compliance Investigators.

**Guests:** Ken Benny, Bert McKillip, John Willmarth, Mary Segawa, Rob Vincent, David Biviano, Jon Tunheim, John Skinder, Christy Peters, Linda Strever, Denise Lariviere, Paul Grudis, Kathleen O'Shaunnessey, Lin Crowley, Roger Cummings, Yuri Sagawa, Mike Fenton, Maddy de Grue, Laura Lynn, Tony Hawkins, Joanne McCaughan, Charles Shelan, Doug Mah, Erica Freas, Brian Coch, Rhean Bain, Sue Haskin, John Willmarth, Tory Clark Henderson, Reverend Carolyn Peterson, Martin Casey, Stanley Phillips, Cory Curran, Kristen Dahle, H. Yoshida, Katie Chapman, Jason Black, Denise Fitch, and Evan Ferber.

*(Audio tape one – side one)*

**OPENING AND WELCOME**

Commissioner Vasquez called the meeting to order at 7 p.m. Commissioners staff introduced themselves to the audience.

### **ANTI BULLIYING STATUTE, WHAT CAN THE COMMUNITY ACCOMPLISH**

Commissioner Callner described the Commission's mission to prevent and eliminate discrimination and the Commission's goal to establish productive partnerships with the community. She also spoke about the Commission's jurisdiction under RCW 49.60, the Law Against Discrimination.

She spoke briefly about the history of the anti-bullying statute and the impact of bullying on children, schools and the community.

Commissioner Callner introduced community members in the audience. She asked several individuals to speak about their personal experiences with bullying issues and their efforts to deal with bullying.

Many individuals commented about their experiences with bullying in the community as educators, activists, counselors, law enforcement officers, prosecutors, parents, bully victims, bullies themselves as well as other concerned individuals.

Denise Fitch of the Office of the Superintendent of Public Instruction (OSPI) spoke about the School Safety Center at OSPI. OSPI's website; [www.k13.wa.us](http://www.k13.wa.us), contains model policies to address harassment, intimidation, and bullying. Schools are required to implement policies by August 1, 2003.

Discussion took place about bullying and how it affects the community as a whole. Representatives from the criminal justice system observed patterns in the behavior of bullies. The juvenile justice system has partnerships with schools. A goal of this partnership is to work with schools to identify areas that need to be addressed so bullying behavior can be eliminated.

*(Audio tape one – side two)*

Comments were made by youths in the community who have personally benefited from the Dispute Resolution Center's peer mediation program as participants in the mediation process and as peer mediators. At risk youths engage in "Aggression Replacement Training" to gain proper social skill and help eliminate bullying behavior.

A student at North Thurston High School explained his work with teachers and school officials to deal with harassment and bullying. He created a Powerpoint presentation about bullying.

Representatives from Olympia School District and the Olympia Police Department spoke about police presence at Olympia High School. Bert McKillip works as a school resource officer onsite at the school. There are 45 peer mediators at Olympia High School. Mediation is used often but there are challenges in some cases. Some students find it difficult to "speak up" and "don't tell" on their peers and have a "code of silence."

Commissioner Callner encouraged forum participants to continue dialogue and work together to deal with bullying as a community issue.

There being no further business, the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Tanya Y. Calahan  
Commission Clerk

**FRIDAY, MARCH 28, 2003**

**ATTENDANCE**

**Commissioners:** Rudy Vasquez, Chair, Charlotte Coker, Ellis Casson, Dallas Barnes, and J. Reiko Callner. A quorum was present.

**Staff:** Susan (Sue) J. Jordan, Executive Director, Dariush (D.K.) Khaleghi, Deputy Director, Regina Hook, Cheryl Strobert, Sharon Ortiz, Berneta Walraven, and Jerry Lee, Operations Managers, Tanya Calahan, Commission Clerk, Susan Carlson and Stewart Johnston, Assistant Attorneys General, Idolina Reta, Arthur Stratton, Dean Hirst, and Diana Guzman, Equal Opportunity Compliance Specialists, Susan Ramsauer, Frank Trevino, Rudy Chavez, Stafani Coverson, Andrea Herrera., Joyce Ansley, David Clayborn, Jeff Kildahl, Laurie Rasmussen, Sherrie Adams, Arleen Sandifer, Laura Lindstrand, Janice Whitman, Christine Davio, Equal Opportunity Compliance Investigators, Rebecca Moore, Office Assistant Senior, Reneé Knight, Administrative Services Manager, and Jean Ciallella, Executive Assistant.

**Guests:** Jerry Hebert, Kitsap Human Rights Network, Brad Shannon, The Olympian, Tim Welch and Kirk Hanson, Washington Federation of State Employees, and Mary Clogston.

*(Audio tape one - side one)*

**OPENING AND WELCOME**

Commissioner Vasquez called the meeting to order at 9 a.m.

**EXECUTIVE SESSION**

Commissioner Vasquez announced that the Commissioners will meet in executive session until 11 a.m. to evaluate an allegation made against agency staff.

Commissioner Vasquez announced that the Commissioners will meet in executive session for an additional twenty minutes (20) until 11:20 a.m.

Commissioner Vasquez announced that the executive session is extended by an additional five (5) minutes until 11:25 a.m.

The regular meeting reconvened at 11:25 a.m.

Commissioner Vasquez announced that the Commission reviewed allegations regarding agency staff in executive session. The investigation regarding agency staff will be concluded in two weeks.

**CONSIDERATION OF THE MINUTES OF FEBRUARY 27-28, 2003**

Commissioner Coker made a motion to approve the minutes of the February 27-28, 2003 Commission meeting. Commissioner Callner seconded the motion. MOTION CARRIED.

### **CONSIDERATION OF ACTION ITEMS**

Executive Director Sue Jordan reviewed action items from the February 27-28, 2003 Commission meeting.

### **CASE LIST**

Commissioner Barnes announced that he has not completed his review regarding four cases filed against WA State Lottery Commission. Those cases are Syverson v. WA State Lottery Commission; Williams v. WA State Lottery Commission; Darby v. WA State Lottery Commission; and Poulin v. WA State Lottery Commission. He asked that the Commission set the cases aside until the April 2003 Commission meeting.

Commissioner Callner made a motion to approve the amended case list for the period of February 22- March 21, 2003, with the exception of the four cases filed against WA State Lottery Commission that were set aside. Commissioner Coker seconded the motion. MOTION CARRIED.

### **NEW BUSINESS**

Commissioner Vasquez requested additional budget data from staff for the period of July 2001 - February 2003. He requested that staff break down the previous information that was provided on a month to month trend line.

Commissioner Callner suggested that the Commission gather materials regarding the sexual orientation bill, draft a letter to Governor Locke, and consider a special meeting to discuss support of sexual orientation bill. Commissioner Callner will gather additional information and provide it to the Commissioners.

Commissioner Casson requested that he receive hard copies of emails that are sent to the Commissioners by staff. Commissioner Vasquez also requested hard copies of emails or a phone call instead of email.

The Commissioners discussed the upcoming Yakima Commission meeting and the farm worker forum report. Commission Clerk Tanya Calahan will finalize the report. Commissioner comments about the report are due to Ms. Calahan by Friday, April 4, 2003. The report will be translated into Spanish and printed before the April Commission meeting.

Commissioner Coker suggested inviting Labor and Industries (L & I) staff to the meeting for an update since the October 2002 farm worker forum. Commissioner Callner will draft an invitation letter to L & I for Commissioner Vasquez's signature.

Commissioner Barnes highlighted his March 19, 2003 memorandum to the Commissioners. He expressed concern about re-delegation of Human Rights Commission authority in union-management related matters.

He recommended that the Commissioners withdraw the authority delegated to the Executive Director to address union grievances, all major programmatic and none essential staff changes halt until the major issues are identified, addressed and resolved, and that the Commission obtain the services of an appropriate entity to conduct an organizational audit.

Discussion ensued about Commissioner Barnes' recommendation regarding withdrawing Executive Director authority to exclusively hear union grievances. Commissioner Callner pointed out that the grievance process is a negotiated term of the Collective Bargaining Agreement and can't be unilaterally changed.

The Commissioners discussed the need for advice from the Attorney General's office about Commissioner Barnes' recommendations. Commissioner Coker then made a motion that the Commission refer Commissioner Barnes' first recommendation regarding Executive Director authority to address union grievances to Assistant Attorney General Stewart Johnston for guidance and clarity. Commissioner Barnes seconded the motion. MOTION CARRIED.

*(Audio tape one – side two)*

The Commission discussed agency reorganization and what constitutes operational versus policy decisions. The Commissioners agreed that they should consult the Attorney General's office regarding the first and second recommendation made by Commissioner Barnes in his March 19, 2003 memorandum.

Commissioner Casson made a motion that the Commission hire a third party to conduct an independent organizational assessment and audit. Commissioner Vasquez seconded the motion. MOTION CARRIED.

Commissioner Vasquez will check with Department of Personnel for ideas about a consultant to conduct the agency assessment and audit. He will share options with the other Commissioners.

Representatives from the collective bargaining unit and management commented about the proposed agency reorganization plan and the impacts on agency staff and the public.

Jerry Hebert commented that the public should have a chance to review a proposed reorganization plan.

Equal Opportunity Compliance Specialist Idolina Reta presented information about outreach to immigrants around the state. She spoke about past agency reorganization and complaint statistics.

Staff members commented about the proposed agency reorganization plan.

Kirk Hanson spoke on behalf of collective bargaining unit members. He expressed concern that the proposed reorganization plan does not meet the goals of the agency.

Equal Opportunity Compliance Investigators Andrea Herrera and Stefani Coverson spoke on behalf of union members.

*(Audio tape two - side one)*

They expressed concern about the rationale behind the plan and the statewide impact of the plan. They provided statistics and handouts to the Commissioners on behalf of bargaining unit members. They commented that frontline staff are committed to the mission of the agency. They requested to work with management as a team to achieve the goals of the agency.

Commissioner Casson requested additional information about the proposed agency reorganization. He commented that he was not previously made aware of agency the proposed reorganization. He commented that staff has a responsibility to keep the Commission informed about what's going on in the agency.

Commissioner Vasquez commented about the use of technology to communicate. He expressed concern about the inundation of emails that he receives. He requested that his email be removed from mailing lists.

The Commissioners discussed the possibility of scheduling a special meeting to address the sexual orientation bill, hiring a consultant, and to address the issues that Commissioner Barnes' raised in his March 19, 2003 memorandum.

There being no further business, the meeting adjourned at 3:13 p.m.

Respectfully submitted,

Tanya Y. Calahan  
Commission Clerk

**ACTION ITEMS**  
**MARCH 27-28, 2003 COMMISSION MEETING**

1. **Item:** The Commissioners will get any comments regarding the farm worker forum report to Tanya Calahan by April 4, 2003.

**Status:** The report is finalized. Copies in Spanish and English will be provided at the April Commission meeting.
2. **Item:** Commissioner Vasquez will gather ideas about consultants to conduct an agency assessment and audit and present them to the other Commissioners.

**Status:** An update will be given at the April 28, 2003 Commission meeting.
3. **Item:** Commissioner Vasquez requested that staff provide additional budget information and trend lines to the Commissioners.

**Status:** Information was mailed to all Commissioners on April 18, 2003 in their meeting packet.
4. **Item:** Commissioner Callner will provide background information to the other Commissioners regarding proposed sexual orientation legislation.

**Status:** Commission Clerk Tanya Calahan sent the information to all Commissioners on April 18, 2003.